

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

KYLE SLOAN, Individually, and as
Personal Representative of the Estates
of Rylie Sloan and Jamie Sloan,
KYLE SLOAN as Surviving Spouse
of Jamie Sloan, and KYLE SLOAN as
Surviving Parent of Rylie Sloan; and SUSAN
WEST, Individually; and as the next friend
and natural guardian of K.W., a minor,

Plaintiffs,

v.

NICHOLAS BURIST; LOCKE
RELOCATIONS LLC; MAYFLOWER
TRANSIT LLC; JOE MOHOLLAND, INC.;
UNIGROUP, C.A., PAYNE, INC.;
VANLINER INSURANCE COMPANY;
AND XYZ COMPANIES 1-3,

Defendants.

CASE NO: 2:22-cv-0076-LGW-BWC

**DEFENDANT MAYFLOWER TRANSIT'S ANSWER TO ALLSTATE FIRE AND
CASUALTY INSURANCE COMPANY'S CROSSCLAIM**

COMES NOW Mayflower Transit, LLC (hereinafter "Mayflower"), by and through its undersigned counsel and files this Answer to Allstate Fire and Casualty Company's Crossclaim (hereinafter "the Crossclaim") (Doc 185, pp, 74-75) and shows the Court as follows:

FIRST DEFENSE

Mayflower is not guilty of any negligence whatsoever and no act or omission of Mayflower's either proximately caused or contributed to whatever injury or damage Plaintiffs alleged they sustain. Therefore, Allstate Fire and Casualty Insurance Company is barred from any recovery from Mayflower.

SECOND DEFENSE

Mayflower sets forth the affirmative defenses specifically enumerated in Rule 8 of the Federal Rules of Civil Procedure in the event that subsequent discovery in this case makes applicable any of said defenses.

THIRD DEFENSE

Mayflower sets forth the affirmative defenses specifically enumerated in Rule 12 of the Federal Rules of Civil Procedure in the event that subsequent discovery in this case makes applicable any of said defenses.

FOURTH DEFENSE

Subject to and without waiving any of the foregoing affirmative defenses, Mayflower responds to the numbered paragraphs of Allstate Fire and Casualty Insurance Company's Crossclaims as follows:

NATURE OF COMPLAINT

Subject to and without waiving any of the foregoing defense, Defendant Mayflower responds to the separately numbered paragraphs of the Crossclaim as follows:

1.

Mayflower admits that Plaintiffs alleged the named Defendants are subject to the jurisdiction of this Court as set forth in the Second Amended Complaint. However, Mayflower is without knowledge or information sufficient to form a belief as to the truth of whether Mayflower is subject to the jurisdiction of this Court.

2.

Mayflower admits that Plaintiff Kyle Sloan, Individually, as Personal Representative of the Estates of Rylie Sloan and Jamie Sloan, and as surviving spouse of Jamie Sloan, has filed a Second Amended Complaint, the allegations of which speak for themselves. Mayflower denies all

remaining allegations contained in Paragraph No. 2 of the Crossclaim. Mayflower further denies any allegations of negligence.

3.

Mayflower denies the allegations contained in Paragraph No. 3 of the Crossclaim.

FIFTH DEFENSE

To the extent Mayflower has not specifically answered any allegation contained in Allstate Fire Casualty Insurance Company's Crossclaim, they are hereby denied.

WHEREFORE, having fully answered all allegations in paragraphs 1 to 3 of Allstate Fire and Casualty Insurance Company's Crossclaim, Mayflower respectfully requests that the Crossclaim against Mayflower be dismissed with all costs cast upon Allstate Fire and Casualty Insurance Company.

Respectfully submitted this 15th day of August, 2024.

LEWIS BRISBOIS BISGAARD & SMITH, LLP

/s/ Brighten Donner

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Counsel for Mayflower Transit, LLC

CERTIFICATE OF SERVICE

I hereby certify that I have this date served counsel of record in the foregoing matter with a copy of the foregoing Defendant Mayflower Transit's Answer to Allstate Fire and Casualty Insurance Company's Crossclaim via the Court's CM ECF which will send electronic notification to all counsel of record.

Respectfully submitted this 15th day of August, 2024.

LEWIS BRISBOIS BISGAARD & SMITH, LLP

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